

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATIONS OF MRC PERMIAN COMPANY
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NOS. 25388, 25390 & 25391 & 25393

**APPLICATION OF MRC PERMIAN COMPANY
FOR APPROVAL OF A 983.65-ACRE
NONSTANDARD HORIZONTAL WELL SPACING
UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NO. 25409

RESPONDENTS' MOTION FOR CONTINUANCE

Wytex Drilling Ventures, LLC ("Wytex"), a mineral interest owner and Respondent in Company regarding Case Numbers 25388 and 25390, and in support thereof would show as follows:

1. On April 30, 2025, Wytex took leases from Thomas L. Alexander, filed May 12, 2025 at Book 2240, page 107 of the Lea County Records. A Memorandum of Paid-Up Oil and Gas Lease is attached hereto as Exhibit A.
2. On May 12, 2025, Wytex reached out to Applicant (Addison Costly) via telephone and email with a memorandum and address. See email attached as Exhibit B.
3. On May 15, 2025, Wytex reached out again to Applicant via email and telephone. See email attached as Exhibit C.
4. Matador filings reflect Wytex as an interest party and owner. However, notice was not sent to Wytex, notwithstanding Applicant's notice of a new address. See paragraph 37 of Applicant's exhibit showing Wytex's prior address.

5. Publication is insufficient as a matter of law. Publication is sufficient if a party cannot be reached at its address.
6. 19.15.4.10.D NMAC provides that a party shall be entitled to a continuance of any hearing if it did not receive notice of the hearing at least three (3) business days prior to the date for filing a timely appearance as 19.15.4 NMAC provides. Respondent did not receive notice at least three (3) days prior to the date for filing a timely appearance as required and, therefore, are entitled to a continuance.
7. 19.15.14.13.C provides that parties shall file and serve Motions for Continuance no later than forty eight (48) hours prior to the time of the hearing is set to begin, unless the reasons for requesting a continuance arise after the deadline, in which case the party shall file as expeditiously as possible. Respondent was made aware of the proceedings on June 2, 2025 and has filed as expeditiously as possible after investigation of the matter.
8. Additionally, Applicant has not made a good faith effort to engage in communication with Respondent to obtain a voluntary pooling agreement. Thus, Respondent has not been given adequate notice and additional time is necessary for Respondent to review the pleadings and prepare for the hearing.

Based on a review of the provided materials, Respondent wishes to have additional time to prepare its evidence for the hearing prior to having its interests subject to being force-pooled and/or prior to the time for submission of its share of drilling costs in connection with its participation in the proposed wells. Respondent does not believe that the requested continuance would prejudice Applicant and that Applicant has not yet met the statutory requirements requisite to pooling

Respondent's interest, and Respondent's request for a continuance would serve the interests of preventing waste and protecting correlative rights.

RESPECTFULLY SUBMITTED,

CAVIN & MORGAN, P.A.

By: 

Scott S. Morgan
PO Box 20339
Albuquerque, NM 87112
(505) 243-5400
smorgan@cilawnm.com

ATTORNEYS FOR RESPONDENTS

Wytex Drilling Ventures, LLC, Yeager Resources,
Ltd., Sevenways Minerals, Ltd., Carol Ann
Sandquist 1995 Management Trust Blessed Income,
LLC, Mary Helen Energy, LLC, Pops Minerals,
LLC, and McRae Management Trust

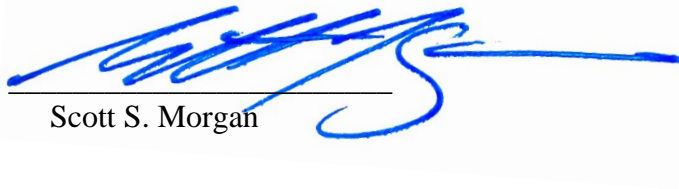
I hereby certify that a true and correct copy of the foregoing was served via email and U.S. mail on June 4, 2025 to the following:

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
HOLLAND & HART, LLP
PO Box 2208
Santa Fe, NM 87504
(505) 988-4421
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
pmvance@hollandhart.com

CAVIN & MORGAN, P.A.

By: _____

Scott S. Morgan



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

MEMORANDUM OF PAID-UP OIL AND GAS LEASE

STATE OF NEW MEXICO §
 § **KNOW ALL MEN BY THESES PRESENTS:**
COUNTY OF LEA §

BE IT REMEMBERED that effective as of the 30th day of April, 2025 a Paid-Up Oil and Gas Lease ("Lease") was made and entered into by and between **Thomas L. Alexander, a married man dealing in his sole and separate property, joined pro forma by his wife, Kathleen A. Alexander**, whose address is P.O. Box 2005, Morro Bay, CA 93443, hereinafter called "Lessor" (whether one or more), and **Wytex Drilling Ventures, LLC**, whose address is P.O. Box 280969, Lakewood, CO 80228, hereinafter called "Lessee" wherein Lessor granted, leased and let exclusively to Lessee for the purpose of exploring for, developing, producing, and marketing oil and gas, along with all hydrocarbon substances produced in association therewith, from the following described lands and depths situated in Lea County, New Mexico, on and subject to the terms and conditions set forth in the Lease.

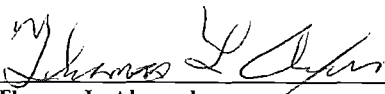
The S/2 of the NW/4 and the N/2 of the SW/4 of Section 14, and the NW/4 of Section 23, township 15-S, Range 36-E, NMPM, Lea County, NM

The Lease provided for a primary term of three (3) years from April 30th, 2025, and for the continuation thereafter in accordance with the terms and provisions of the Lease. This Memorandum is placed of record for the purpose of giving notice of the Lease and has not and shall not be construed as amending, altering or otherwise changing the terms and provisions of the Lease.

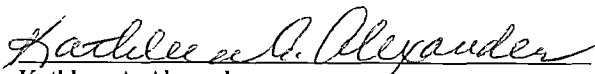
An Executed copy of said Oil and Gas Lease is in the possession of Lessee at its address indicated above.

This Memorandum is signed by Lessor as of the date of acknowledgment of their signatures but is effective for all purposes as of the effective date of the Lease.

LESSOR:



Thomas L. Alexander



Kathleen A. Alexander

EXHIBIT A

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT
(CALIFORNIA CIVIL CODE § 1189)**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF San Luis Obispo)

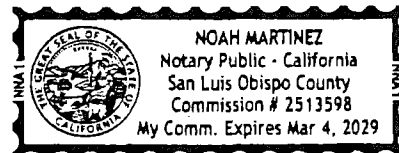
On 5/5/25 before me, Noah Martinez Notary Public
(Date) (Here Insert Name and Title of the Officer)

personally appeared Thomas Luther Alexander & Kathleen Anne Alexander,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Noah Martinez
Signature of Notary Public (Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Additional Information: _____

From: Lou Oswald
Sent: Monday, May 12, 2025 3:12 PM
To: addison.costley@matadorresources.com
Cc: Carl Tomasetti <Carl@wyotex.com>
Subject: LeaNM - Thomas Alexander Memo and OGL

Dear Mr. Costley,

I left a voice message for you today regarding the lease we purchased from Thomas L. Alexander and his wife Kathleen A. Alexander a Memo of which was recorded in the Lea County, NM records today.

I have attached a copy of the Memorandum of Paid-Up Oil and Gas Lease which we recorded earlier this afternoon.

We are interested in participating the four wells proposed in the DSU covering Section 14, 23 and 26 of T15S, R36E.

Interestingly, Matador has a landman trying to buy leases from my trust and several other mineral owners in the immediate vicinity of this and the other DSU that Matador has already drilled a well in.

I'm on a flight most of tomorrow to my home in Puerto Rico but will be around again starting on Wednesday of this week.

I did notice that Matador filed a pooling notice on these minerals and notified Mr. Alexander but wasn't aware of the particulars there.

Sincerely yours,
Seashore Consulting, LLC
Lou Oswald, III
361-205-5286 M

From: Lou Oswald
Sent: Thursday, May 15, 2025 10:56 AM
To: addison.costley@matadorresources.com
Cc: Carl Tomasetti <Carl@wyotex.com>
Subject: RE: LeaNM - Thomas Alexander Memo and OGL

Dear Mr. Costley,

I tried you at 972-371-5474 again today but you did not answer and I felt like it was pointless to leave you another voice message and thought I'd just email you again.

To restate the below briefly, we are interested in participating in the well(s) that Matador may drill in this 1,920 acres DSU in 15/36.

Not sure if Matador is the real deal here on this DSU and actually going to drill or just going through motions and therefor the need for a discussion.

Please give me a shout about this when you have a minute as I don't want to have to protest your pooling but am perfectly capable of doing so.

Sincerely yours,

Seashore Consulting, LLC

Lou Oswald, III

361-205-5286 M